

**U.S. DEPARTMENT OF HOMELAND SECURITY
U.S. Customs and Border Protection
SIGNIFICANT INCIDENT REPORT**

RESTRICTIONS: - Employee Issue			
1.	DATE OF INCIDENT: 5/13/2018		LOCATION OF INCIDENT: Rio Grande City, TX
	TIME OF INCIDENT: 11:50 AM		SIR NUMBER: (b) (7)(E)
	REPORTED TO COMMISSIONER'S SITUATION ROOM VIA PHONE ON: DATE: 5/13/2018 TIME: 1:40 PM TO: (b) (6), (b) (7)(C)		
2.	REPORTING OFFICE: U.S. Border Patrol		DFO/SECTOR: Rio Grande Valley Sector
	POE/STATION: Weslaco Station		
	PERSON MAKING REPORT: (b) (6), (b) (7)(C)		
	OFFICE PHONE: (b) (6), (b) (7)(C) ext.	CELL PHONE:	FAX NUMBER:
	POINT OF CONTACT: (b) (6); (b) (7)(C)		
	OFFICE PHONE: (b) (6), (b) (7)(C) xt.	CELL PHONE: (b) (6), (b) (7)(C)	FAX NUMBER:
	POINT OF CONTACT: (b) (6), (b) (7)(C)		
	OFFICE PHONE: (b) (6), (b) (7)(C) ext.	CELL PHONE:	FAX NUMBER:
3.	TYPE OF INCIDENT: <input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY		
	Category	Type	Sub Type
	Non-Employee Death	In Custody	
4.	SYNOPSIS: (USE CONTINUATION SHEET IF NECESSARY): See Attached Continuation		
	SEIZURE TYPE:	QUANTITY:	VALUE:
	NUMBER OF ARRESTS:	MALE:	FEMALE:
5.	NOTIFICATIONS MADE:		
	1. <input checked="" type="checkbox"/> TELEPHONIC REPORT TO COMMISSIONER'S SITUATION ROOM		(b) (7)(E) 5/13/2018 1:40 PM
	2.	Email Sent: <input type="checkbox"/>	
	3.	Email Sent: <input type="checkbox"/>	
6.	INJURIES/FATALITIES:		
	NAME AND EXTENT OF INJURY	AGENT	EAP ADVISED
	1.		
	2.		
	NAME OF FATALITIES:		
	1.		
2.			
7.	NATIONAL TARGETING CENTER NUMBERS:		
8.	MEDIA INTEREST EXPECTED:		
9.	RELATED INCIDENTS:		

U.S. DEPARTMENT OF HOMELAND SECURITY
U.S. Customs and Border Protection
SIGNIFICANT INCIDENT REPORT
Continuation Sheet

DATE OF INCIDENT: 5/13/2018	LOCATION OF INCIDENT: Rio Grande City, TX	SIR NUMBER: (b) (7)(E)
TIME OF INCIDENT: 11:50 AM		

Synopsis:**SITUATION:**

On May 11, 2018 at approximately 2:30 p.m., agents assigned to the Weslaco, Texas Border Patrol Station apprehended an adult male Honduran national near Hidalgo, Texas and transported to the Rio Grande Valley Centralized Processing Center (RGV CPC) for processing. On May 12, 2018, at approximately 1905 hrs., BPA (b) (6), (b) (7)(C) and BPA (b) (6), (b) (7)(C) assigned to the RGV CPC, were transporting a subject from the RGV CPC to the Starr County Jail. Is set up to court on Monday, May 14, 2018. The subject was creating havoc, and kicking the cell doors while at the CPC. Due to no available space at the Hidalgo County Jail, space was requested and was granted at the Starr County Jail. Agents transporting the subject reported that during transport, while handcuffed and shackled, the subject was kicking the windows of the patrol unit. The agents had to stop on the side of the road and agents requested assistance over the radio. Mission PD assisted the agents in securing the subject. SBPA (b) (6), (b) (7)(C) responded to the call for assistance. The agents will be escorted back to the CPC. Another two men unit is being assigned to follow them to the Starr County Jail.. SBPA (b) (6), (b) (7)(C) is coordinating with (A)WC (b) (6), (b) (7)(C) from MCS to assist us with the transfer and transport.

On May 13, 2018 CPC management received a call from Corporal (b) (6), (b) (7)(C) from the Starr County Jail stating that the detainee Munoz had been found unconscious and had passed away. At this time the cause of death is still unknown, investigation is still ongoing by the Texas Rangers. Subject was found unconscious by County Jail employees with a sweater wrapped around his neck. Subject was traveling with his wife and child and were separated due to zero tolerance initiative. Subject was process as an ER prosecution and was scheduled appear in Court on Monday morning.

SUBJECTS INFORMATION:

Name: Marco Antonio MUNOZ

DOB: 12/02/1978

COB: Honduras

A# 215 710 327

Disposition: ER

(b) (7)(E)

NOTIFICATIONS:

(b) (7)(E)

(b) (7)(E)



**U.S. Customs and
Border Protection**

May 18, 2018

MEMORANDUM FOR:

(b) (6), (b) (7)(C)

Chief Patrol Agent
Rio Grande Valley Sector

FROM:

(b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

Deputy Patrol Agent in Charge
Rio Grande Valley Sector Centralized Processing Center

SUBJECT:

Disruptive Subject
Re: Marco Antonio Munoz (A215-710-327)

Forwarded for your review are memoranda from Supervisory Border Patrol Agent (SBPA) (b) (6), (b) (7)(C) and all involved Border Patrol Agents (BPAs) regarding a disruptive subject, Mario Antonio MUNOZ (A215-710-327).

On Saturday, May 12, 2018, MUNOZ was in Border Patrol custody at the Rio Grande Valley Sector Centralized Processing Center (CPC) as part of a family unit with his wife and child. As is common practice with family units, when a child is accompanied by both parents, one parent remains with the child while the other is separated and processed accordingly. In this case MUNOZ, the father, was separated from his family.

While at the CPC, MUNOZ was consistently disruptive, failed to follow directives given by BPAs and SBPAs alike and was transferred out of Border Patrol custody to the Starr County Jail as a consequence of his being charged under 8 USC 1325. He was scheduled to appear in court on Monday May 14, 2018. On Sunday May 13, 2018, we were notified by Starr County Jail that MUNOZ was found deceased in his cell. The apparent cause of death was suicide. The exact cause of death is still under investigation.

All required notifications were made, to include the Rio Grande Valley Operations Center (OPCEN) and SIR (b) (7)(E) was generated.

(b) (7)(E)



**U.S. Customs and
Border Protection**

May 18, 2018

MEMORANDUM FOR:

(b) (6), (b) (7)(C)

Chief Patrol Agent
Rio Grande Valley Sector

FROM:

(b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

Supervisory Border Patrol Agent
Rio Grande Valley Sector Centralized Processing Center

SUBJECT:

Disruptive Subject
Re: Marco Antonio Munoz (A215-710-327)

On Saturday, May 12, 2018, a detainee (Marco Antonio MUNOZ, A215 710 327) at the Rio Grande Valley Sector Centralized Processing Center (CPC) was exhibiting disruptive behavior throughout the day. MUNOZ was apprehended as part of a family unit with his wife and child, but had been separated from them due to the fact that both the mother and father were present. MUNOZ was scheduled to appear in court on Monday, May 14, 2018, for prosecution under 8 USC 1325, Illegal Entry.

On various occasions throughout Saturday, May 12, 2018, MUNOZ became agitated, demanding to see his wife and child, and had to be calmed down by Border Patrol Agents (BPAs) and Supervisory Border Patrol Agents (SBPAs) assigned to the CPC. At one point, as BPA (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) allowed janitorial personnel access to the cell that MUNOZ was in, MUNOZ became verbally abusive toward BPA (b) (6), (b) (7)(C). Later on, BPA (b) (6), (b) (7)(C) noticed that MUNOZ had somehow exited the cell without permission. Whether MUNOZ stopped the door from closing completely on one of the occasions when other detainees were deposited into the cell or taken from it, or he used some other method to open the cell door is unknown.

When it came time to process MUNOZ, he was non-compliant and would not give any information to, or answer any questions from BPA (b) (6), (b) (7)(C). After BPA (b) (6), (b) (7)(C) realized that he was not making any progress and that further attempts would need to be made after MUNOZ became compliant, MUNOZ was returned to his cell. After his non-compliance with the processing agent, MUNOZ further exacerbated the situation by kicking the door to his cell, possibly in another attempt to exit the cell. At that point, BPA (b) (6), (b) (7)(C) approached the cell and ordered MUNOZ to exit with his hands behind his back. At that point, MUNOZ became actively resistant and began to struggle with BPA (b) (6), (b) (7)(C) as other agents responded to place MUNOZ under control. Once subdued by the agents, MUNOZ was then strapped to a restraint chair and placed in a cell on his own.

Due to the aforementioned events, and the fact that MUNOZ would have to remain in Border Patrol Custody for another day and a half before his court appearance, arrangements were made

to house MUNOZ at the Starr County Jail until Monday. Prior to leaving the CPC, MUNOZ requested to visit with his wife and child and his request was granted. MUNOZ was then handcuffed and placed in leg shackles to include a belly chain prior to being loaded into a marked Border Patrol pickup truck for transport to the Starr County Jail. MUNOZ was escorted by BPA (b) (6), (b) (7)(C) and BPA (b) (6), (b) (7)(C). A short time into the trip, MUNOZ began yelling "You killed my Family" and screamed that the agents were going to kill him also. In his hysteria, he laid down on his back and began to kick violently at the caged frame of the door over the passenger side window.

When BPAs (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) heard the commotion and realized that MUNOZ was attempting to escape, they called for assistance via service radio and found a safe place to stop the vehicle and attempt to bring MUNOZ under control. At the time that the vehicle stopped, and prior to any law enforcement response to their call for assistance, two civilian motorists stopped and one offered assistance in the struggle to bring MUNOZ into a semblance of acceptable behavior. Prior to any Border Patrol unit arriving on scene, Officers from the Mission Police Department arrived and offered assistance. When MUNOZ saw the police officers, he began to plead his case with them and said in Spanish that the agents had killed his family and that they were going to kill him.

At some point during the incident, Mission Police Sergeant (b) (6), (b) (7)(C) was able to calm MUNOZ down to the extent that the agents were able to return to the CPC with MUNOZ with other Border Patrol units as escorts, in case another episode ensued. Upon arrival at the CPC, MUNOZ was transferred to a marked Border Patrol sedan, which was utilized in an effort to limit the operating space and the amount of leverage that could be exerted by MUNOZ if he again attempted to escape. For the second trip to the Starr County Jail, one two-agent unit consisting of BPA (b) (6), (b) (7)(C) and BPA (b) (6), (b) (7)(C) transported MUNOZ, and another two-agent unit of BPA (b) (6), (b) (7)(C) and BPA (b) (6), (b) (7)(C) were trailing them as support. During this second trip, only a brief incident occurred as MUNOZ attempted to unbuckle his seatbelt, but he was verbally calmed by the agents and the rest of the trip was uneventful.

Once they arrived at the Starr County Jail, MUNOZ was removed from the sedan without incident and began the intake process at the jail in a calm and subdued manner. No other outbreak by MUNOZ was witnessed by any of the agents that escorted MUNOZ to the Starr County Jail.

On Sunday, May 13, 2018, at approximately 11:30 a.m., a member of management from the Rio Grande City Border Patrol Station informed CPC supervisors that MUNOZ had been found deceased by staff at the Starr County Jail. Preliminary indications were that MUNOZ had taken his own life, but the exact cause of death is yet to be determined.

All required notifications were made, to include the Rio Grande Valley Operations Center (OPCEN) where SIR (b) (7)(E) was generated.

(b) (7)(E)



**U.S. Customs and
Border Protection**

June 9, 2018

MEMORANDUM FOR:

(b) (6), (b) (7)(C)
Chief Patrol Agent
Rio Grande Valley Sector

FROM:

(b) (6), (b) (7)(C) (b) (6), (b) (7)(C)
Acting Watch Commander
Rio Grande Valley

SUBJECT:

Disruptive Subject
RE: Marco Antonio Munoz (A215-710-327)

On Saturday, May 12, 2018, I was working the swing shift as an Acting Watch Commander at the Rio Grande Valley Centralized Processing Center (RGV CPC). At approximately 4:30 p.m., I was informed we had a subject that was being disruptive in the cell and was kicking the door of the cell. When I came downstairs to check on that, the subject had already been placed in a restriction chair and BPA (b) (6), (b) (7)(C) was speaking to him trying to reason with him in order for him to remain calm. I was also informed by one of the agents, I believe it was (b) (6), (b) (7)(C) that the subject had been disruptive during day shift also. While we were speaking to him, the subject requested to see his wife and son and his request was granted. After his visit with his wife and son, he continued to be argumentative.

During this time, I was advised by BPA (b) (6), (b) (7)(C) that earlier, at approximately 3:30 p.m., the subject had managed to open the door of the cell, (cell #15), and had to be put back in the cell. BPA (b) (6), (b) (7)(C) also stated the subject was enticing the other subjects in the cell to start a riot, saying there were more people in the cell than Border Patrol Agents.

Due to the large amount of aliens at the RGV CPC, we did not have a cell where a disruptive subject could be placed. Based on the subject's behavior and the information I received about the subject being disruptive since day shift, I decided it was best to transport him to Hidalgo County Jail, where the jail facilities are more suited for disruptive subjects.

At approximately 5:15 p.m., I had BPA (b) (6), (b) (7)(C) call the Hidalgo County Jail to request space. BPA (b) (6), (b) (7)(C) was told they were full at the moment and was advised to call later on. We waited 45 minutes to an hour, called Hidalgo County Jail again, and they had no space. I advised BPA (b) (6), (b) (7)(C) to call the Starr County Jail to request space and it was approved.

At approximately 6:15 p.m., I assigned two agents, BPA (b) (6);(b) (7)(C) and BPA (b) (6), (b) (7)(C) to transport the subject to the Starr County Jail. At approximately 6:30 p.m., the agents loaded the subject into the vehicle. The subject remained calm while being loaded into the vehicle.

About 15 to 20 minutes later, I was advised that the agents transporting the subject were forced to pull over to the side of the road in Mission, Texas, because the subject was kicking the door of the vehicle and had damaged the door. The door frame was bent and they believed there was a possibility the subject could kick the door open. I was told the subject was very strong and Mission PD assisted them in securing and calming down the subject.

By this time, I was aware that SBPA (b) (6), (b) (7)(C) and other agents had responded to the location to assist the agents. Due to the damage the subject had caused to the door, I instructed the agents to return to the RGV CPC, escorted by another unit, so we could exchange vehicles.

Upon arriving to the RGV CPC, the subject was transported to another vehicle without incident. BPA (b) (6), (b) (7)(C) was talking to him while the agents were getting the other unit and he seemed to be able to keep the alien calm.

I then assigned BPA (b) (6), (b) (7)(C) as he seemed to have established a rapport with the subject, and BPA (b) (6), (b) (7)(C) to transport the subject in a sedan unit. I also assigned another two man unit to escort the transport vehicle to the Starr County Jail. They departed the RGV CPC at approximately 7:45 p.m. and I was told the transfer of the subject from the patrol vehicle to the Starr County Jail had gone well and without incident. I was told the trip from the RGV CPC to the Starr County Jail takes about an hour, depending on the traffic.

The next day I was advised that the subject had committed suicide while being detained at the Starr County Jail.

(b) (7)(E)



**U.S. Customs and
Border Protection**

June 18, 2018

MEMORANDUM FOR: (b) (6), (b) (7)(C)
Chief Patrol Agent
Rio Grande Valley Sector

FROM: (b) (6), (b) (7)(C)
Border Patrol Agent
Laredo South Station

SUBJECT: Disruptive Subject
RE: Marco Antonio MUNOZ (A#215 710 327)

On Saturday May 12, 2018, I, Border Patrol Agent (BPA) (b) (6), (b) (7)(C) arrived at the processing area at the Rio Grande Valley Centralized Processing Center (RGV CPC) to begin working my assigned duty hours from 2:00 P.M. to 12:00 A.M. (Swing Shift).

Upon arriving to my workstation, Border Patrol Agent (b) (6), (b) (7)(C) wanted to trade work duties for the day. I agreed and then went to McAllen Intake at the McAllen Border Patrol Station to help with the intake duties and (b) (6); (b) (7)(C) took over the Virtual Processing duties at the Rio Grande Valley Centralized Processing Center (RGV CPC). I did not witness anything neither did I take part in the incident that occurred that evening.

RIGHT TO UNION REPRESENTATION

Under Article 31, Subsection b(3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following:

The Civil Service Reform Act give employees in units represented by an exclusive labor organization the right to have a union representative present at a meeting which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

Section 7114(a)(2) of the Civil Service Reform Act of 1978 states:

(2) An exclusive representation of an appropriate unit in an agency shall be given the opportunity to be represented at:

B.) any examination of an employee in the unit by a representative of the agency in connection with an Investigation if

1.) if the employee reasonably believes that the examination may result in disciplinary action against the employee and,

2.) the employee requests representation.

(b) (6), (b) (7)(C)

Border Patrol Agent
McAllen, Texas
06/18/18

(b) (6), (b) (7)(C)

Supervisory Border Patrol Agent
McAllen, Texas
06/18/18

(b) (7)(E)



**U.S. Customs and
Border Protection**

June 18, 2018

MEMORANDUM FOR:

(b) (6), (b) (7)(C)

Chief Patrol Agent
Rio Grande Valley Sector

FROM:

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Border Patrol Agent
Fort Brown Border Patrol Station

SUBJECT:

Disruptive Subject

RE: Marco Antonio MUNOZ (A#215 710 327)

On Saturday May 12, 2018, I, Border Patrol Agent (BPA) (b) (6), (b) (7)(C) arrived at the processing area at the Rio Grande Valley Centralized Processing Center (RGV CPC) to begin working my assigned shift hours from 2:00 P.M. to 12:00 A.M. (Swing Shift). Upon arriving to my workstation in the Virtual Processing area, several Border Patrol Agents who had worked the Day shift had informed myself and several of the swing shift agents there was a disruptive subject by the name of MUNOZ, Marco Antonio (A#215 710 327) in Cell 15.

As I was processing my assigned files for the day I heard a commotion, and as I looked over my assigned processing computer, I noticed several Border Patrol Agents trying to restrain MUNOZ. At that moment I went to assist the agents that were attempting to restrain and handcuff MUNOZ. Agents then escorted MUNOZ to the isolation cell.

After the incident, I continued to process my assigned files for the day. After some time, I heard a loud noise coming from the inbound hallway leading to the sally port. I went to see what was going on and noticed several agents talking to MUNOZ in the isolation cell, and MUNOZ was shouting vulgar language at the agents. Several agents and I attempted to calm MUNOZ, but MUNOZ continued to be disruptive. We then proceeded to restrain MUNOZ in a safety restraint chair for his safety as well as ours. After the incident I continued my assigned duties for the day.

RIGHT TO UNION REPRESENTATION

Under Article 31, Subsection b(3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following:

The Civil Service Reform Act give employees in units represented by an exclusive labor organization the right to have a union representative present at a meeting which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

Section 7114(a)(2) of the Civil Service Reform Act of 1978 states:

(2) An exclusive representation of an appropriate unit in an agency shall be given the opportunity to be represented at:

- B.) any examination of an employee in the unit by a representative of the agency in connection with an Investigation if
 - 1.) if the employee reasonably believes that the examination may result in disciplinary action against the employee and,
 - 2.) the employee requests representation.

(b)(6);(b)(7)(C)

Border Patrol Agent
McAllen, Texas
06/18/18

(b)(6);(b)(7)(C)

Supervisory Border Patrol Agent
McAllen, Texas
06/18/18

(b) (7)(E)



**U.S. Customs and
Border Protection**

June 13, 2018

MEMORANDUM FOR: (b)(6);(b)(7)(C)
Chief Patrol Agent
Rio Grande Valley Sector

THROUGH: (b)(6);(b)(7)(C)
Chief Patrol Agent
Del Rio Sector

THROUGH: (b)(6);(b)(7)(C)
Interim Patrol Agent in Charge
Del Rio Station

FROM: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Border Patrol Agent
Del Rio Station

SUBJECT: Rio Grande Valley Central Processing Center Incident

From April 16, 2018 to May 15, 2018, I volunteered for a non-per diem detail to the Rio Grande Valley Sector Central Processing Center (CPC) in McAllen, Texas. On May 12, 2018, I was working the evening shift and while performing data entry, I heard a commotion down the hall towards the main intake area. I heard another Border Patrol Agent (BPA) yelling INTAKE! INTAKE! and I saw at least one other BPA running down the hallway towards the main intake area. I joined the responding BPA and upon arriving, I saw that the initial responding BPAs were talking to a detainee. The detainee looked irritated and combative and was stating that his family had been murdered. At this time, the detainee's family, a woman and a child, were brought to visit him at his holding area and they were allowed to speak with him for a brief period. He seemed to calm down and then I returned back to my assigned work area.

Less than half an hour later, I heard a very loud banging noise coming from the area that I had last seen the detainee. I walked over to where I heard the loud noises and saw other responding BPAs as well. The detainee had been kicking the door to the containment room where he was being held. The lead agent walked into the holding area with other BPAs as backup and proceeded to calmly address the detainee. The detainee stated again very loudly that we had killed his family. At this time, the lead agent had told me that I was going to be assigned to help transport the detainee out of the CPC. The detainee was sat on a restraint chair. Subject was passive as he sat in the restraint chair. I assisted putting on the leg restraints while other BPAs assisted with restraining his arms and torso. He was again insisting that we had murdered his family while we were restraining him. Once restrained, I stayed with him while other BPAs coordinated his transport nearby. He kept talking to himself but I could no longer understand

what he was saying as he was mumbling. The other BPAs returned and one had brought a set of ambulatory restraints. The lead agent told me that we were going to release him out of the chair and place him into the ambulatory restraint. While we were working on undoing the restraints the detainee mentioned that "Yo soy padre hoy, y lo sere por la eternidad". After getting him back on his feet, a BPA put the ambulatory restraints on him and I maintained control of the subject. I was told to stand by with the detainee because there was a kilo unit that would transport him to another location. The lead agent instructed me where the kilo unit was going to pick up the subject and myself and other BPAs escorted the detainee out of the intake area and into the rear receiving area. I maintained control of his movement as we waited for the marked unit to arrive. At this point, he turned his head to face me and told me "Dios lo va a bendecir." The truck showed up and we placed the detainee in the back of the unit. I personally ensured that he was securely seated and I strapped his seatbelt on. I exited the vehicle and two BPAs transported him to another location.

At no time was I, or any of the other agents alone with the subject. There were multiple agents with him at all times to ensure his safety and ours.

NOTIFICATION OF WEINGARTEN RIGHTS

Under Article 31, Subsection b (3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information:

The Civil Service Reform Act gives employees in units represented by an exclusive labor organization the right to have a union representative present at a meeting, which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

Section 7114(a)(2) of the Civil Service Reform Act of 1978 states:

"(2) An exclusive representation of an appropriate unit in an agency shall be given the opportunity to be represented at-

(B) Any examination of an employee in the unit by a representative of the agency in connection with an investigation if-

(i) The employee reasonably believes that the examination may result in disciplinary action against the employee and

(ii) The employee requests representation."

I acknowledge receipt of the aforementioned notification of my right to representation.

Printed Name:

BPA (b)(6);(b)(7)(C)

Signature:



Date:

13 JUN 2018 1830HRS

Supervisor:

SBPA (b)(6);(b)(7)(C)

Signature:

(b)(6);(b)(7)(C)

Date:

13 JUN 2018 @ 1830

(b) (7)(E)



**U.S. Customs and
Border Protection**

June 13, 2018

MEMORANDUM FOR:

(b) (6), (b) (7)(C)
Chief Patrol Agent
Rio Grande Valley Sector

FROM:

(b) (6), (b) (7)(C) (b) (6), (b) (7)(C)
Border Patrol Agent
Rio Grande Valley Centralized Processing Center

SUBJECT:

May 12, 2018 Incident

I, Border Patrol Agent (b) (6), (b) (7)(C), was assigned Record Checks at the Rio Grande Valley Centralized Processing Center (RGV CPC) on May 12, 2018. While working at the RGV CPC that day, I assisted in transitioning the subject from a restraint chair to shackles in preparation for his transport to Starr County Jail. During the subjects transition into shackles; he was cooperative, did not offer any resistance, and no force was used.

Other than assisting with shackling, I did not observe or hear about any events leading up to this time.

RIGHT TO UNION REPRESENTATION

Under Article 31, Subsection b(3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following:

The Civil Service Reform Act give employees in units represented by an exclusive labor organization the right to have a union representative present at a meeting which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

Section 7114(a) (2) of the Civil Service Reform Act of 1978 states:

(2) An exclusive representation of an appropriate unit in an agency shall be given the opportunity to be represented at:

B.) any examination of an employee in the unit by a representative of the agency in connection with an Investigation if

1.) if the employee reasonably believes that the examination may result in disciplinary action against the employee and,

2.) the employee requests representation.

(b) (6), (b) (7)(C)

Border Patrol Agent
McAllen, Texas
06/13/2018

(b) (6), (b) (7)(C)

Supervisory Border Patrol Agent
McAllen, Texas
06/13/2018

(b) (7)(E)



**U.S. Customs and
Border Protection**

June 13, 2018

MEMORANDUM FOR:

(b) (6), (b) (7)(C)

Chief Patrol Agent
Rio Grande Valley Sector

FROM:

(b) (6), (b) (7)(C)

Border Patrol Agent
McAllen Station

(b) (6), (b) (7)(C)

SUBJECT:

Disruptive Subject
Re: Mario Antonio MUNOZ (A215 710 327)

On Saturday, May 12, 2018, I, Border Patrol Agent **(b)(6);(b)(7)(C)** was assigned 55K Discharge duties at the Rio Grande Valley Centralized Processing Center (RGV CPC) in McAllen, Texas. I performed my regular duties for the 55K Discharge assignment which includes in-taking family units and unaccompanied juveniles. I also have the responsibility of in-taking the property that belongs to the family units and unaccompanied juveniles. I did not have any direct or indirect contact with Mario Antonio MUNOZ (A215 710 327). Upon arrival to the RGV CPC, Mario Antonio MUNOZ was placed in the 22K side of the RGV CPC which holds single adult males and single adult females.



WEINGARTEN AGREEMENT NOTICE

Under Article 31, Subsection b(3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information:

The Civil Service Reform Act gives employees in units represented by an exclusive labor organization the right to have a union representative present at a meeting which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

Section 7114(a)(2)(B) of the Civil Service Reform Act of 1978 states:

“(2) An exclusive representation of an appropriate unit in an agency shall be given the opportunity to be represented at-

(B) any examination of an employee in the unit by a representative of the agency in connection with an investigation if-

(i) the employee reasonably believes that the examination may result in disciplinary action against the employee; and

(ii) the employee requests representation.”

(b) (6), (b) (7)(C)

Receipt of Notice

June 13, 2018

Date

(b) (6), (b) (7)(C)

Supervisor

June 13, 2018

Date



**U.S. Customs and
Border Protection**

(b) (7)(E)

June 13, 2018

MEMORANDUM FOR:

(b) (6), (b) (7)(C)

Chief Patrol Agent
Rio Grande Valley Sector

FROM:

(b) (6), (b) (7)(C) **(b) (6), (b) (7)(C)**

Border Patrol Agent
Weslaco Station

SUBJECT:

May 12th Incident

On May 12th 2018 I reported to the Rio Grande Valley Sector Centralized Processing Center for swing shift which begins at 2:00 pm. My assignment for the day was Floor Team Lead. I recall that the subject in question was being disruptive and non-complaint in the cell. I do not recall having any direct contact with the subject.



WEINGARTEN AGREEMENT NOTICE

Under Article 31, Subsection b(3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information:

The Civil Service Reform Act gives employees in units represented by an exclusive labor organization the right to have a union representative present at a meeting which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

Section 7114(a)(2)(B) of the Civil Service Reform Act of 1978 states:

“(2) An exclusive representation of an appropriate unit in an agency shall be given the opportunity to be represented at-

(B) any examination of an employee in the unit by a representative of the agency in connection with an investigation if-

(i) the employee reasonably believes that the examination may result in disciplinary action against the employee; and

(ii) the employee requests representation.”

(b) (6), (b) (7)(C)

Receipt of Notice

June 13, 2018

Date

(b) (6), (b) (7)(C)

Supervisor

June 13, 2018

Date

(b) (7)(E)



**U.S. Customs and
Border Protection**

June 11, 2018

MEMORANDUM FOR:

(b) (6), (b) (7)(C)

Chief Patrol Agent
Rio Grande Valley Sector

FROM:

(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)

Border Patrol Agent
Rio Grande Valley Centralized Processing Center

SUBJECT:

May 12, 2018 Incident

On May 12, 2018, I, Border Patrol Agent (BPA) **(b) (6), (b) (7)(C)** was working Intake duties at the Centralized Processing Center (CPC) on the day that we had a disruptive individual. The subject had to be transported to the Starr County Jail to be held until his scheduled court date, which would have been Monday, May 14, 2018. The subject ultimately took his own life while in the custody of the Starr County Jail. However, even though I was working my daily assignment during that day of the incident, I did not hear or witness anything relating to the incident itself. Therefore, I was not personally involved in any manner and I take no responsibility for the incident.

Right To Union Representation

Under Article 31, Subsection b(3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information:

The Civil Service Reform Act gives employees in units represented by an exclusive labor organization the right to have a Union Representative present at a meeting which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

Section 7114(a)(2) of the Civil Service Reform Act of 1978 states:

“(2) An exclusive representation of an appropriate unit in an agency shall be given the opportunity to be represented at-

(B) any examination of an employee in the unit by a representative of the agency in connection with an investigation if-

(i) the employee reasonably believes that the examination may result in disciplinary action against the employee and

(ii) the employee requests representation

This is to acknowledge that (b) (6), (b) (7)(C) was advised as to his right to union representation.

(b) (6), (b) (7)(C)

Agent's Signature

(b) (6), (b) (7)(C)

11-Jun-18

Date

(b) (6), (b) (7)(C)

11-Jun-18

Date

(b) (7)(E)



**U.S. Customs and
Border Protection**

June 12, 2018

MEMORANDUM FOR:

(b) (6), (b) (7)(C)

Chief Patrol Agent
Rio Grande Valley Sector

FROM:

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Border Patrol Agent
Rio Grande Valley Sector Centralized Processing Center

SUBJECT:

May 12, 2018 Incident

On June 12, 2018, I was instructed to write a memorandum in regards to what I witnessed on May 12, 2018.

On May 12, 2018, I was assigned to the Rio Grande Valley sector Centralized Processing Center to perform duties as a Field Office Juvenile Coordinator, as noted on the G-481 daily unit assignment log summary. I do not recall any incidents or confrontations during my shift.



WEINGARTEN AGREEMENT NOTICE

Under Article 31, Subsection b(3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information:

The Civil Service Reform Act gives employees in units represented by an exclusive labor organization the right to have a union representative present at a meeting which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

Section 7114(a)(2)(B) of the Civil Service Reform Act of 1978 states:

“(2) An exclusive representation of an appropriate unit in an agency shall be given the opportunity to be represented at-

(B) any examination of an employee in the unit by a representative of the agency in connection with an investigation if-

(i) the employee reasonably believes that the examination may result in disciplinary action against the employee; and

(ii) the employee requests representation.”

(b) (6), (b) (7)(C)

June 12, 2018

Date

(b) (6), (b) (7)(C)

SBPA

June 12, 2018

Supervisor

Date

(b) (7)(E)



**U.S. Customs and
Border Protection**

June 12, 2018

MEMORANDUM FOR:

(b) (6), (b) (7)(C)

Chief Patrol Agent
Rio Grande Valley Sector

(b) (6), (b) (7)(C)

FROM:

(b) (6), (b) (7)(C)

Border Patrol Agent
Rio Grande Valley Centralized Processing Center

SUBJECT:

May 12, 2018 Incident

On June 12, 2018 I was instructed to write a memorandum on what I witnessed on May 12, 2018.

On May 12, 2018 I was assigned to the Rio Grande Valley Centralized Processing Center to perform duties as a Field Office Juvenile Coordinator. I did not witness any incidents or confrontations during my shift.



WEINGARTEN AGREEMENT NOTICE

Under Article 31, Subsection b(3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information:

The Civil Service Reform Act gives employees in units represented by an exclusive labor organization the right to have a union representative present at a meeting which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

Section 7114(a)(2)(B) of the Civil Service Reform Act of 1978 states:

“(2) An exclusive representation of an appropriate unit in an agency shall be given the opportunity to be represented at-

(B) any examination of an employee in the unit by a representative of the agency in connection with an investigation if-

(i) the employee reasonably believes that the examination may result in disciplinary action against the employee; and

(ii) the employee requests representation.”

BPA (b) (6), (b) (7)(C)

Receipt of Notice

June 12, 2018

Date

SB

(b) (6), (b) (7)(C)

Supervisor

June 12, 2018

Date



**U.S. Customs and
Border Protection**

(b) (7)(E)

June 12, 2018

MEMORANDUM FOR:

(b) (6), (b) (7)(C)

Chief Patrol Agent
Rio Grande Valley Sector

FROM:

(b)(6);(b)(7)(C)

Border Patrol Agent
Rio Grande Valley Sector

(b) (6), (b) (7)(C)

Centralized Processing Center

SUBJECT:

May 12, 2018 Incident

On June 12, 2018, I was instructed to write a memorandum in regards to what I had witnessed during my shift on May 12, 2018.

On May 12, 2018 while working swing shift 2:00p.m.-12:00 a.m., I was assigned to Station Duty Officer (SDO) Duties at Rio Grande Valley Sector Centralized Processing Center. While I was receiving a group of illegal aliens that had just arrived from the field, I entered the facility and as I walked towards the copy machine area I observed a subject being restrained. As I walked back towards the Sally Port area I observed the same subject speaking with his family members in the hall way that leads to the interview rooms.

On May 13, 2018 while in muster to start our shift we were informed by our supervisors that the subject had committed suicide.



WEINGARTEN AGREEMENT NOTICE

Under Article 31, Subsection b(3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information:

The Civil Service Reform Act gives employees in units represented by an exclusive labor organization the right to have a union representative present at a meeting which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

Section 7114(a)(2)(B) of the Civil Service Reform Act of 1978 states:

“(2) An exclusive representation of an appropriate unit in an agency shall be given the opportunity to be represented at-

(B) any examination of an employee in the unit by a representative of the agency in connection with an investigation if-

(i) the employee reasonably believes that the examination may result in disciplinary action against the employee; and

(ii) the employee requests representation.”

(b) (6), (b) (7)(C)

BPA

June 12, 2018

Receipt of Notice

Date

(b) (6), (b) (7)(C)

June 12, 2018

Supervisor

Date

(b) (7)(E)



**U.S. Customs and
Border Protection**

June 11, 2018

MEMORANDUM FOR:

(b) (6), (b) (7)(C)

Chief Patrol Agent
Rio Grande Valley Sector

FROM:

(b)(6);(b)(7)(C)

Border Patrol Agent
Rio Grande City Station

SUBJECT:

RE: Marco Antonio MUNOZ (A#215 710 327)

On Saturday May 12, 2018, I, Border Patrol Agent (BPA) (b) (6), (b) (7)(C) arrived at the processing area at the Rio Grande Valley Centralized Processing Center (RGV CPC) to begin working my assigned duty hours from 2:00 P.M. to 12:00 A.M. (Swing Shift).

As I was at my work station I notice a subject, later identified as Marco Antonio Munoz, outside by Cell 14 talking to other subjects through the chain link fence. I approach MUNOZ and asked him which Cell did he belonged. MUNOZ stated he belonged in Cell 15. I then opened Cell 15 and let him in.

As I was working on my workstation I heard a loud sound come from one the cells. BPA (b)(6);(b)(7)(C) noticed that MUNOZ was kicking the door to Cell 15. BPA (b)(6);(b)(7)(C) opened the door to Cell 15 and instructed the subject to put his hands behind his back, to which the subject refused. I approached the subject and I grabbed the subject's left arm to attempt to place the subject in handcuffs. With the assistance of several other Border Patrol Agents and BPA (b)(6);(b)(7)(C) we forced the subject to the ground and placed the subject in handcuffs. I had no further contact with MUNOZ after the previous sequence of events.

Right To Union Representation

Under Article 31, Subsection b(3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information:

The Civil Service Reform Act gives employees in units represented by an exclusive labor organization the right to have a Union Representative present at a meeting which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

Section 7114(a)(2) of the Civil Service Reform Act of 1978 states:

- “(2) An exclusive representation of an appropriate unit in an agency shall be given the opportunity to be represented at-
- (B) any examination of an employee in the unit by a representative of the agency in connection with an investigation if-
 - (i) the employee reasonably believes that the examination may result in disciplinary action against the employee and
 - (ii) the employee requests representation

This is to acknowledge that _____ (b) (6), (b) (7)(C) _____ was advised as to his right to union representation.

(b) (6), (b) (7)(C)

Agent's Signature

11-Jun-18

Date

(b) (6), (b) (7)(C)

Supervisor's Signature

11-Jun-18

Date

(b) (7)(E)



**U.S. Customs and
Border Protection**

June 12 2017

MEMORANDUM FOR:

(b) (6), (b) (7)(C)

Chief Patrol Agent
Rio Grande Valley Sector

FROM:

(b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

Border Patrol Agent
Rio Grande Valley Centralized Processing Center

SUBJECT:

May 12, 2018 Incident

I was assigned to conduct record checks at Rio Grande Valley Centralized Processing Center on May 12, 2018. I was not involved or witness to the incident that occurred during the shift. I do not recall any interaction with the subject during the normal course of my duties.

RIGHT TO UNION REPRESENTATION

Under Article 31, Subsection B (3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Department of Homeland Security, Customs and Border Protection, United States Border Patrol, you are provided with the following information:

The Civil Service Reform Act gives employees in units represented by an exclusive labor organization the right to have a union representative present at a meeting, which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

Section 7114(a)(2) of the Civil Service Reform Act of 1978 states:

“(2) An exclusive representative of an appropriate unit in an agency shall be given the opportunity to be represented at--

(B) Any examination of an employee in the unit by a representative of the agency in connection with an investigation if--

(i) The employee reasonably believes that the examination may result in disciplinary action against the employee, and--

(ii) The employee requests representation.

(b) (6), (b) (7)(C)

Border Patrol Agent
McAllen, Texas
06/12/2018

(b) (6), (b) (7)(C)

Supervisory Border Patrol Agent
McAllen, Texas
06/12/2018

(b) (7)(E)



**U.S. Customs and
Border Protection**

June 11, 2018

MEMORANDUM FOR:

(b) (6), (b) (7)(C)

Chief Patrol Agent
Rio Grande Valley Sector

FROM:

(b) (6), (b) (7)(C)

Border Patrol Agent
McAllen Station

(b) (6), (b) (7)(C)

SUBJECT:

May 12th Incident

On May 12th 2018 I reported to the Rio Grande Valley Sector Centralized Processing Center for swing shift which begins at 2:00 pm. My assignment for the day was processing Unaccompanied Children (UAC's). I process these files in the muster room on a daily basis and was not present in the holding cell area to witness the subject being non-complaint in the cell.

Right To Union Representation

Under Article 31, Subsection b(3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information:

The Civil Service Reform Act gives employees in units represented by an exclusive labor organization the right to have a Union Representative present at a meeting which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

Section 7114(a)(2) of the Civil Service Reform Act of 1978 states:

- "(2) An exclusive representation of an appropriate unit in an agency shall be given the opportunity to be represented at-
- (B) any examination of an employee in the unit by a representative of the agency in connection with an investigation if-
 - (i) the employee reasonably believes that the examination may result in disciplinary action against the employee and
 - (ii) the employee requests representation

This is to acknowledge that (b) (6), (b) (7)(C) was advised as to his right to union representation.

(b) (6), (b) (7)(C)

Agent's Signature

11-Jun-18

Date

(b) (6), (b) (7)(C)

11-Jun-18

Date

(b) (7)(E)



**U.S. Customs and
Border Protection**

June 11, 2018

MEMORANDUM FOR:

(b) (6), (b) (7)(C)

Chief Patrol Agent
Rio Grande Valley Sector

FROM:

(b) (6), (b) (7)(C)

Border Patrol Agent
McAllen Border Patrol Station

(b) (6), (b) (7)(C)

SUBJECT:

Incident on May 12, 2018

I was working at the Rio Grande Valley Centralized Processing Center on May 12, 2018. I was assigned to work on the 55K side of the building and was unaware that any incident occurred on that day.

Right To Union Representation

Under Article 31, Subsection b(3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information:

The Civil Service Reform Act gives employees in units represented by an exclusive labor organization the right to have a Union Representative present at a meeting which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

Section 7114(a)(2) of the Civil Service Reform Act of 1978 states:

- "(2) An exclusive representation of an appropriate unit in an agency shall be given the opportunity to be represented at-
- (B) any examination of an employee in the unit by a representative of the agency in connection with an investigation if-
 - (i) the employee reasonably believes that the examination may result in disciplinary action against the employee and
 - (ii) the employee requests representation

This is to acknowledge that (b) (6), (b) (7)(C) was advised as to his right to union representation.

(b) (6), (b) (7)(C)
Agent's Signature

11-Jun-18

Date

(b) (6), (b) (7)(C)
(b) (7)(E)
Supervisor

11-Jun-18

Date

(b) (7)(E)



**U.S. Customs and
Border Protection**

June 11, 2018

MEMORANDUM FOR:

(b) (6), (b) (7)(C)

Chief Patrol Agent
Rio Grande Valley Sector

FROM:

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Border Patrol Agent
McAllen Station

SUBJECT:

May 12th, 2018 Incident.

On May 12th 2018 I reported to the Rio Grande Valley Processing Center for swing shift which begins at 2:00 pm. I was assigned to process Unaccompanied Children in the muster room away from the detainee processing area and did not witness the subject being non-cooperative with agents.

Right To Union Representation

Under Article 31, Subsection b(3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information:

The Civil Service Reform Act gives employees in units represented by an exclusive labor organization the right to have a Union Representative present at a meeting which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

Section 7114(a)(2) of the Civil Service Reform Act of 1978 states:

- “(2) An exclusive representation of an appropriate unit in an agency shall be given the opportunity to be represented at-
- (B) any examination of an employee in the unit by a representative of the agency in connection with an investigation if-
 - (i) the employee reasonably believes that the examination may result in disciplinary action against the employee and
 - (ii) the employee requests representation

This is to acknowledge that (b) (6), (b) (7)(C) was advised as to his right to union representation.

(b) (6), (b) (7)(C)

Agent's Signature

11-Jun-18

Date

(b) (6), (b) (7)(C)

11-Jun-18

Date

(b) (7)(E)



**U.S. Customs and
Border Protection**

June 11, 2018

MEMORANDUM FOR:

(b) (6), (b) (7)(C)

Chief Patrol Agent
Rio Grande Valley Sector

FROM:

(b) (6), (b) (7)(C)

Border Patrol Agent
Rio Grande City Station

(b) (6), (b) (7)(C)

SUBJECT:

May 12th Incident

On Saturday May 12, 2018, I, Border Patrol Agent (BPA) **(b) (6), (b) (7)(C)** arrived at the processing area at the Rio Grande Valley Centralized Processing Center (RGV CPC) to begin working my assigned duty hours from 2:00 P.M. to 12:00 A.M. (Swing Shift). After muster, I was assigned to the McAllen Border Patrol Station (MCS) to process. I did not witness anything that happened at RGV/CPC that day.

Right To Union Representation

Under Article 31, Subsection b(3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information:

The Civil Service Reform Act gives employees in units represented by an exclusive labor organization the right to have a Union Representative present at a meeting which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

Section 7114(a)(2) of the Civil Service Reform Act of 1978 states:

- “(2) An exclusive representation of an appropriate unit in an agency shall be given the opportunity to be represented at-
- (B) any examination of an employee in the unit by a representative of the agency in connection with an investigation if-
 - (i) the employee reasonably believes that the examination may result in disciplinary action against the employee and
 - (ii) the employee requests representation

This is to acknowledge that (b) (6), (b) (7)(C) was advised as to his right to union representation.

(b) (6), (b) (7)(C)

Agent's Signature

(b) (6), (b) (7)(C)

11-Jun-18

Date

(b) (6), (b) (7)(C)

11-Jun-18

Date



**U.S. Customs and
Border Protection**

June 11, 2018

MEMORANDUM FOR:

(b) (6), (b) (7)(C)

Chief Patrol Agent
Rio Grande Valley Sector

FROM:

(b) (6), (b) (7)(C)

Border Patrol Agent
Rio Grande City Station

(b) (6), (b) (7)(C)

SUBJECT:

May 12, 2018 Incident

On May 12, 2018 I Border Patrol Agent (b) (6), (b) (7)(C) was assigned to processing at the Rio Grande Valley Centralized Processing Center. During the day while processing a file, I heard some commotion and noise as if someone were fighting or being forceful, when I looked I saw multiple agents attempting to control a subject that was visibly being aggressive and non-compliant. I got up from my chair to help but by the time I got there, the other agents had the subject under control and were talking to him to calm him down further. Because I saw that my help was not needed I proceed to continue with my assigned duties of processing.

Right To Union Representation

Under Article 31, Subsection b(3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information:

The Civil Service Reform Act gives employees in units represented by an exclusive labor organization the right to have a Union Representative present at a meeting which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

Section 7114(a)(2) of the Civil Service Reform Act of 1978 states:

- "(2) An exclusive representation of an appropriate unit in an agency shall be given the opportunity to be represented at-
- (B) any examination of an employee in the unit by a representative of the agency in connection with an investigation if-
 - (i) the employee reasonably believes that the examination may result in disciplinary action against the employee and
 - (ii) the employee requests representation

This is to acknowledge that (b) (6), (b) (7)(C) was advised as to his right to union representation.

(b) (6), (b) (7)(C)

Agent's Signature

11-Jun-18

Date

(b) (6), (b) (7)(C)

Supervisor's Signature

11-Jun-18

Date

(b) (7)(E)



**U.S. Customs and
Border Protection**

June 11, 2018

MEMORANDUM FOR: (b) (6), (b) (7)(C)
Chief Patrol Agent
Rio Grande Valley Sector

FROM: (b) (6), (b) (7)(C)
Border Patrol Agent
McAllen Border Patrol Station

SUBJECT: Incident on May 12th

On May 12, 2018, I, Border Patrol Agent (b) (6), (b) (7)(C) was assigned HPI/GPI Coordinator at the Rio Grande Valley Centralized Processing Center (RGV CPC). As I performed my duties that day I was witness to an encounter with the subject, later identified as, Marco Antonio Munoz.

I was preparing manifests for subjects detained at CPC for transport into Immigration and Customs Enforcement (ICE) custody. While performing this task, I heard a loud bang near the inbound area door that leads outside to the Sally Port area. I got up to see what was happening and saw a subject kicking the door that leads to the Sally Port. After seeing this occur I ran downstairs to attempt to restrain the subject. After getting downstairs another agent had his arms wrapped around the subject restraining him. By this time other agents arrived to help restrain the subject and handcuff him. A restraining chair was brought and the subject was placed in the chair and was put in the segregation cell. After the subject was placed in the chair I returned back upstairs and continued my duties as assigned.

During the restraint of the subject he murmured something in Spanish, however, I was unable to make out what he said. After this incident occurred I had no further contact or interaction with the subject.

Right To Union Representation

Under Article 31, Subsection b(3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information:

The Civil Service Reform Act gives employees in units represented by an exclusive labor organization the right to have a Union Representative present at a meeting which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

Section 7114(a)(2) of the Civil Service Reform Act of 1978 states:

- "(2) An exclusive representation of an appropriate unit in an agency shall be given the opportunity to be represented at-
- (B) any examination of an employee in the unit by a representative of the agency in connection with an investigation if-
 - (i) the employee reasonably believes that the examination may result in disciplinary action against the employee and
 - (ii) the employee requests representation

This is to acknowledge that _____ (b) (6), (b) (7)(C) _____ was advised as to his right to union representation.

(b) (6), (b) (7)(C)

Agent's Signature

11-Jun-18

Date

(b) (6), (b) (7)(C)

Supervisor's Signature

11-Jun-18

Date

(b) (7)(E)



U.S. Customs and
Border Protection

June 19, 2018

MEMORANDUM FOR:

(b) (6), (b) (7)(C)

Chief Patrol Agent
Rio Grande Valley Sector

FROM:

(b) (6), (b) (7)(C)

Border Patrol Agent
Weslaco Station

(b) (6), (b) (7)(C)

SUBJECT:

Arrest of Munoz, Marco Antonio

On May 11, 2018, I was on duty and working the Weslaco Station area of responsibility. I apprehended several large groups of people near the (b) (6), (b) (7)(C) that day but I do not remember apprehending Munoz, Marco Antonio specifically.

RIGHT TO UNION REPRESENTATION

Under Article 31, Subsection b(3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following:

The Civil Service Reform Act give employees in units represented by an exclusive labor organization the right to have a union representative present at a meeting which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

Section 7114(a) (2) of the Civil Service Reform Act of 1978 states:

(2) An exclusive representation of an appropriate unit in an agency shall be given the opportunity to be represented at:

B.) any examination of an employee in the unit by a representative of the agency in connection with an Investigation if

1.) if the employee reasonably believes that the examination may result in disciplinary action against the employee and,

2.) the employee requests representation.

(b) (6), (b) (7)(C)

Border Patrol Agent
Weslaco, Texas
June 19, 2018

(b) (6), (b) (7)(C)

Supv. Border Patrol Agent
Weslaco, Texas
June 19, 2018

(b) (7)(E)



**U.S. Customs and
Border Protection**

June 15, 2018

MEMORANDUM FOR:

(b) (6), (b) (7)(C)

Chief Patrol Agent
Rio Grande Valley Sector

FROM:

(b)(6);(b)(7)(C) (b) (6), (b) (7)(C)

Supervisory Border Patrol Agent
McAllen Border Patrol Station

SUBJECT:

Disruptive Subject
RE: Marco Antonio Munoz (A215 710 327)

On Saturday, May 12, 2018, I was assigned to the Rio Grande Valley Combined Processing Center (RGV CPC) and was discharging my duties as a supervisor for Alpha Shift (2:00 p.m. to 12:00 a.m.).

At approximately 3:00 p.m., I was told by a Border Patrol Agent working in the processing center that an alien was requesting to speak with a supervisor. I made contact with the alien, identified as MUÑOZ, Marco Antonio (A215 710 327), who told me that he wanted to speak with his wife. He said that she and their son were also being held at the RGV CPC. I took his name down and told him that I would see what we could do, however, I was not able to consider his request at that moment as other duties required my attention.

While continuing with my normal shift change duties, I came to discover after the fact that MUÑOZ had begun acting in a disruptive manner, including kicking the door of his cell, and attempting to incite other detainees in his holding area into becoming disruptive as well. In an attempt to calm MUÑOZ down, his request to speak with his wife and his minor son was granted and they were allowed some time to speak with each other. When his family was returned to their holding area in another part of the building, he continued being disruptive and was eventually placed into a restraint chair for his safety and the safety of those around him.

Because the RGV CPC was near capacity at the time and does not have the facilities to house and properly care for an overly agitated detainee, the Starr County jail was contacted in order to request housing for MUÑOZ until his court hearing the following Monday. This request was granted, and a two-agent transport team was assigned to move MUÑOZ to their facility.

MUÑOZ appeared calm while being prepared for transport, but, according to transport agents (b)(6);(b)(7)(C) and (b)(6);(b)(7)(C) MUÑOZ began kicking the back door during the trip in an apparent attempt to escape. The agents were forced to pull off the roadway and request assistance from other agents in the area. Responding agents and a passing Mission Police Officer were able to subdue and further restrain MUÑOZ without incident. Because the rear door of their marked service vehicle had been bent outward as a result of being kicked by MUÑOZ, it was decided that he would

Disruptive Subject

RE: Marco Antonio Munoz (A215 710 327)

Page 2

be returned to the RGV CPC for fear that another escape attempt would be made and, if successful due to the compromised integrity of the door, would severely endanger MUÑOZ, the transporting agents, and other motorists.

Upon his return to the RGV CPC, Agent (b) (6), (b) (7)(C) who had initially responded to assist the transport unit and who had provided additional escort for the return trip to the RGV CPC, attempted to establish rapport with MUÑOZ. It appeared to be successful, as MUÑOZ gave no signs of being aggressive or agitated and was speaking with Agent (b) (6), (b) (7)(C) in a calm and friendly manner.

MUÑOZ was placed in another transport unit, and Agent (b) (6), (b) (7)(C) was directed to ride with Agent (b) (6), (b) (7)(C) and to continue building rapport with MUÑOZ during the trip to the Starr County facility, which, by all accounts, was completed without incident.

Several days later, I learned that MUÑOZ had taken his own life while at the Starr County jail.

(b) (7)(E)



**U.S. Customs and
Border Protection**

June 15, 2018

MEMORANDUM FOR:

(b) (6), (b) (7)(C)
Chief Patrol Agent
Rio Grande Valley S

(b) (6), (b) (7)(C)

FROM:

(b) (6), (b) (7)(C)
Supervisory Border Patrol Agent
McAllen Station

SUBJECT: Disruptive Alien / Out of Custody Death

On Saturday May 12, 2018, I was assigned to work at the Rio Grande Valley Centralized Processing Center (RGV CPC). More specifically, on that day, I was assigned to the RGV CPC's intake facility located at the McAllen Border Patrol Station. Throughout the course of the shift, I recall reading the ongoing Evolving Situation Reports (ESRs) regarding a disruptive subject at the CPC's main facility on Ursula St. However, I was not there to witness or be involved in the incident..

(b) (7)(E)



**U.S. Customs and
Border Protection**

June 18, 2018

MEMORANDUM FOR:

(b) (6), (b) (7)(C)

Chief Patrol Agent (b) (6), (b) (7)(C)
Rio Grande Valley

FROM:

(b) (6), (b) (7)(C)

Border Patrol Agent
McAllen Station

SUBJECT:

Incident that occurred on May 12, 2018

On May 12, 2018, I was assigned to the Rio Grande Valley Central Processing Center (RGV CPC) in McAllen, TX. At no time did I witness any type of disturbance of any kind or any disturbed individual during my assigned duties and the RGV CPC.

Right To Union Representation

Under Article 31, Subsection b(3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information:

The Civil Service Reform Act gives employees in units represented by an exclusive labor organization the right to have a Union Representative present at a meeting which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

Section 7114(a)(2) of the Civil Service Reform Act of 1978 states:

"(2) An exclusive representation of an appropriate unit in an agency shall be given the opportunity to be represented at-

(B) any examination of an employee in the unit by a representative of the agency in connection with an investigation if-

(i) the employee reasonably believes that the examination may result in disciplinary action against the employee and

(ii) the employee requests representation

This is to acknowledge that (b) (6), (b) (7)(C) was advised as to his right to union representation.

(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
Agent's Signature

June 18, 2018

Date

(b) (6), (b) (7)(C)

June 18, 2018

Date

(b) (7)(E)



**U.S. Customs and
Border Protection**

June 18, 2018

MEMORANDUM FOR:

(b) (6), (b) (7)(C)

Chief Patrol Agent
Rio Grande Valley Sector

FROM:

(b)(6);(b)(7)(C) (b) (6), (b) (7)(C)

Border Patrol Agent
McAllen Station

SUBJECT:

May 12, 2018

On May 12, 2018 I was working at the Central Processing Center (CPC) as Intake. I did not interact or observe the subject of interest while at the CPC.

Right To Union Representation

Under Article 31, Subsection b(3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information:

The Civil Service Reform Act gives employees in units represented by an exclusive labor organization the right to have a Union Representative present at a meeting which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

Section 7114(a)(2) of the Civil Service Reform Act of 1978 states:

"(2) An exclusive representation of an appropriate unit in an agency shall be given the opportunity to be represented at-

(B) any examination of an employee in the unit by a representative of the agency in connection with an investigation if-

(i) the employee reasonably believes that the examination may result in disciplinary action against the employee and

(ii) the employee requests representation

This is to acknowledge that _____ (b) (6), (b) (7)(C) was advised as to his right to union representation.

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

June 18, 2018

Date

June 18, 2018

Date

(b) (6), (b) (7)(C)

(b) (7)(E)



**U.S. Customs and
Border Protection**

June 15, 2018

MEMORANDUM FOR:

(b) (6), (b) (7)(C)

Chief Patrol Agent
Rio Grande Valley Sector

(b) (6), (b) (7)(C)

FROM:

(b) (6), (b) (7)(C)

Border Patrol Agent
McAllen Station

SUBJECT:

May 12, 2018 Incident

On June 15, 2018, I, Border Patrol Agent (BPA) (b) (6), (b) (7)(C) was instructed by Supervisory Border Patrol Agent (SBPA) (b) (6), (b) (7)(C) to write a memorandum in regards to the events that occurred on May 12, 2018 during swing shift.

On May 12, 2018, I, BPA (b) (6), (b) (7)(C) was assigned to the Control Room on the Ursula (55K) side of the Rio Grande Valley Centralized Processing Center. During my shift, I recall viewing the camera feed from the isolation room on the processing side of the facility. I remember seeing an individual being verbally addressed by multiple Agents outside the cell. Some time had passed before I viewed the video again, and I recall seeing the subject escorted to the isolation room in a restraint chair.

RIGHT TO UNION REPRESENTATION

Under Article 31, Subsection b(3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following:

The Civil Service Reform Act give employees in units represented by an exclusive labor organization the right to have a union representative present at a meeting which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

Section 7114(a) (2) of the Civil Service Reform Act of 1978 states:

(2) An exclusive representation of an appropriate unit in an agency shall be given the opportunity to be represented at:

B.) any examination of an employee in the unit by a representative of the agency in connection with an investigation if

1.) if the employee reasonably believes that the examination may result in disciplinary action against the employee and,

2.) the employee requests representation.

(b) (6), (b) (7)(C)

Border Patrol Agent
McAllen, Texas
06/15/2018

(b) (6), (b) (7)(C)

Supervisory Border Patrol Agent
McAllen, Texas
06/15/2018

(b) (7)(E)



**U.S. Customs and
Border Protection**

June 12, 2018

MEMORANDUM FOR:

(b) (6), (b) (7)(C)

Chief Patrol Agent
Rio Grande Valley Sector

FROM:

(b) (6), (b) (7)(C)

Border Patrol Agent
McAllen Station

(b) (6), (b) (7)(C)

SUBJECT:

Incident that occurred on May 12, 2018

On May 12, 2018, I was assigned to the Central Processing Center in McAllen, TX. While I was there I did witness a disturbance pertaining to one of the Illegal Aliens from the cells. There was a huge commotion coming from the men's cells opposite of my workspace. I responded to the disturbance and witnessed several agents holding a subject prone out on the floor. The agents were trying to apply handcuffs and shackles. The subject was struggling against the agents, he was trying to prevent them from applying the restraints. At no time did I witness agents strike or apply pressure points against the alien. A lot of it was just trying to manipulate the arms into the handcuffs. At this point I figured it was under control and returned to my work space.

Right To Union Representation

Under Article 31, Subsection b(3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following information:

The Civil Service Reform Act gives employees in units represented by an exclusive labor organization the right to have a Union Representative present at a meeting which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

Section 7114(a)(2) of the Civil Service Reform Act of 1978 states:

- "(2) An exclusive representation of an appropriate unit in an agency shall be given the opportunity to be represented at-
- (B) any examination of an employee in the unit by a representative of the agency in connection with an investigation if-
 - (i) the employee reasonably believes that the examination may result in disciplinary action against the employee and
 - (ii) the employee requests representation

This is to acknowledge that (b) (6), (b) (7)(C) was advised as to his right to union representation.

(b) (6), (b) (7)(C)

Agent's Signature

(b) (6), (b) (7)(C)

June 18, 2018

Date

June 18, 2018

Date

730 Border Patrol Lane
Rio Grande City, TX 78582

(b) (7)(E)



**U.S. Customs and
Border Protection**

June 19, 2018

MEMORANDUM FOR:

(b) (6), (b) (7)(C)
Chief Patrol Agent
Rio Grande Valley

FROM:

(b) (6), (b) (7)(C) **(b) (6), (b) (7)(C)**
Border Patrol Agent
McAllen Station

SUBJECT:

Incident that occurred on May 12, 2018

On May 12, 2018, I was assigned as Shift Duty Officer (SDO) in the processing area of the McAllen Border Patrol Station. I was not in the Rio Grande Valley Centralized Processing Center (RGV CPC) this day, therefore, I did not witness any disturbance that happened in the RGV CPC.

RIGHT TO UNION REPRESENTATION

Under Article 31, Subsection b(3) of the Collective Bargaining Agreement between the National Border Patrol Council and the Immigration and Naturalization Service, you are provided with the following:

The Civil Service Reform Act give employees in units represented by an exclusive labor organization the right to have a union representative present at a meeting which involves an examination by a representative of the agency in connection with an investigation if the employee believes the examination may result in disciplinary action.

Section 7114(a)2) of the Civil Service Reform Act of 1978 states:

(2) An exclusive representation of an appropriate unit in an agency shall be given the opportunity to be represented at:

B.) any examination of an employee in the unit by a representative of the agency in connection with an investigation if

1.) if the employee reasonably believes that the examination may result in disciplinary action against the employee and

2.) the employee requests representation.

(b) (6), (b) (7)(C)

Border Patrol Agent
McAllen, Texas
06/19/2018

(b) (6), (b) (7)(C)

Supervisory Border Patrol Agent
McAllen, Texas
06/19/2018

(b) (7)(E)



U.S. Customs and
Border Protection

June 19, 2018

MEMORANDUM FOR:

(b) (6), (b) (7)(C)
Chief Patrol Agent
Rio Grande Valley

FROM:

(b) (6), (b) (7)(C)
Border Patrol Agent
McAllen Station

(b) (6), (b) (7)(C)

SUBJECT:

Incident that occurred on May 12, 2018

On May 12, 2018, I Border Patrol Agent (BPA) (b) (6), (b) (7)(C) was assigned to work in the property room at the Rio Grande Valley Centralized Processing Center (RGV CPC), from 2:00 P.M. to 12:00 A.M. While in the property room I was talking with BPA (b) (6);(b) (7)(C) and a nurse from the medical staff at RGV CPC. The nurse observed that a subject behind BPA (b) (6);(b) (7)(C) had opened the door to the cell that he was being detained in and was attempting to leave the facility. BPA (b) (6);(b) (7)(C) turned around and made contact with the subject. I made my way out of the property room to assist BPA (b) (6), (b) (7)(C) in getting the subject back into the cell. At this time a G4S officer had opened the cell door and BPA (b) (6), (b) (7)(C) was able to return the subject to the cell.

A short while later a restraint chair was brought to the cell, several agents including BPA (b) (6), (b) (7)(C) and myself placed the subject into the restraint chair to prevent further issues with the subject, as he was not being cooperative.

The decision was then made to transfer custody of the subject to the Starr County Jail to await his court date. While preparing the subject for transport to the Starr County Jail, several agents and I removed the subject from the restraint chair and placed him in shackles. The subject was then removed from the facility and transported to Starr County Jail.